

Appendix – About the Political Reform Act

How to Get Help

The Political Reform Act of 1974

The Political Reform Act (the “Act”) was a voter-approved initiative on the 1974 primary election ballot. One of the major provisions of the Act requires the truthful and accurate disclosure of campaign contributions and expenditures during elections.

The Fair Political Practices Commission

The Fair Political Practices Commission (FPPC) is the independent, nonpartisan state agency authorized to implement, interpret, and enforce the provisions of the Act. A full-time chair is appointed by the Governor, and four part-time commissioners, one each appointed by the Controller, the Attorney General, the Secretary of State, and the Governor comprise the Commission. Each member serves a four-year term and no more than three members may be from the same political party. The FPPC staff is comprised of five divisions: Executive, Administration, Enforcement, Legal, and Technical Assistance.

Governing Statutes

The Political Reform Act is contained in Government Code Sections 81000 – 91014.

Elections Code Sections 18320, 18650, 18680.

Regulations

Regulations interpreting the Political Reform Act are located at Title 2, Division 6 of the California Code of Regulations, beginning at Section 18109.

Opinions and Advice Letters

The FPPC periodically issues opinions interpreting provisions of the Act. The opinions are adopted at a public meeting, with opportunity for input from interested persons.

In addition, FPPC staff issues written advice letters as to the applicability of the Political Reform Act and regulations to a particular factual situation. Refer to the information on requesting written advice from the FPPC available on the FPPC website.

Obtaining Information from the FPPC

Visit the FPPC website to get copies of specific advice letters, sign up for RSS feeds, or to be put on mailing lists.

Fair Political Practices Commission
428 J Street, Suite 620
Sacramento, CA 95814
(916) 322-5660 – Toll-free (866) 275-3772
advice@fppc.ca.gov
Twitter: @CA_FPPC
Facebook: CA FPPC

Website

The FPPC's website (www.fppc.ca.gov) contains a wealth of helpful information, including:

- The Act and its corresponding regulations
- Commission opinions
- Advice letters
- Notices of Commission meeting dates and agendas, supporting documentation for agenda items, and meeting summaries
- Forms required by the Act (also available at the FPPC's office, the Secretary of State's office, and many local clerks' offices)
- Manuals, fact sheets, and useful summaries of the law
- Enforcement closure letters
- Schedules of upcoming webinars, seminars and educational workshops

Additional Campaign Manuals

Additional copies of this manual, and manuals for other types of campaign committees are available from the FPPC, the Secretary of State, and many city clerks or county elections offices. Manuals are available for:

- State candidates and officeholders, and committees primarily formed to support/oppose candidates
- Local candidates and officeholders, and committees primarily formed to support/oppose candidates
- General purpose recipient committees (including PACs, sponsored committees, political party committees, and county central committees)
- Major donor and independent expenditure committees
- Slate mailer organizations (Currently under review)

Obtaining Information Elsewhere

A subscription for regulations is available from:

Barclay's Law Publishing
P.O. Box 3066
South San Francisco, CA 94083
(800) 888-3600

Opinions and advice letters are available from these subscription services:

Westlaw (800) 328-9352
Database: "CA-ETH"
(Advice letters from 1986 to present)

Lexis-Nexis (800) 227-9597
Database: "CA Fair Political Practices Commission"
(Advice letters from 1990 to present)

Other Resources

The Secretary of State, city clerks, and county clerks or registrars of voters are the filing officers for campaign disclosure statements. Committee statements will be filed with the Secretary of State or a local clerk or registrar depending on whether the filer is a state committee or a local committee.

Secretary of State

The Secretary of State is also responsible for issuing campaign committee identification numbers.

(916) 653-6224

www.sos.ca.gov

Federal Election Commission

The Federal Election Commission answers questions regarding federal elections and contributions to all candidates from national banks, national corporations, and foreign nationals.

Federal Election Commission

999 E Street, NW

Washington, DC 20463

(800) 424-9530

www.fec.gov

Franchise Tax Board

The Franchise Tax Board is responsible for responding to questions regarding tax status, tax-deductibility of political contributions, 501(c)(3) groups, audits, or any tax-related questions.

(800) 852-5711 or (800) 338-0505

www.ftb.ca.gov

Internal Revenue Service

The Internal Revenue Service provides assistance regarding federal tax laws and obtaining a taxpayer identification number.

(877) 829-5500 (located in Washington, D.C.)

(800) 829-3676 (taxpayer ID number)

www.irs.gov

Federal Communications Commission

The Federal Communications Commission can answer questions regarding rates for purchasing broadcast time and equal access to broadcast media.

(888) 225-5322 (located in Washington, D.C.)

www.fcc.gov

email: fccinfo@fcc.gov

Local Ordinances

A city or county committee may be subject to additional reporting or other requirements, such as the requirement to file campaign reports electronically. There may be contribution limits, lower

itemization thresholds, or an additional pre-election statement, just to mention a few. A city or county campaign ordinance may never preempt state law.

Privacy Information Notice

Information requested on all FPPC forms is used by the FPPC to administer and enforce the Political Reform Act (Government Code Sections 81000-91014 and California Code of Regulations Sections 18109-18997). All information required by these forms is mandated by the Political Reform Act. Failure to provide all of the information required by the Act is a violation subject to administrative, criminal, or civil prosecution. All reports and statements provided are public records open for public inspection and reproduction.

If you have any questions regarding this Privacy Notice, please contact the FPPC at:

General Counsel
428 J Street, Suite 620
Sacramento, CA 95814
(916) 322-5660

Campaign statements are filed with the Secretary of State and city and county filing officers, depending upon the type of committee filing. (See Chapter 1.)

Enforcement

The Fair Political Practices Commission, the Attorney General, county district attorneys, and elected city attorneys of charter cities have enforcement authority under the Act. Failure to provide all or any part of the information required by the Political Reform Act is a violation subject to:

- An administrative enforcement proceeding before the Fair Political Practices Commission;
- A criminal misdemeanor proceeding;
- A civil action; and
- Levying of late penalties by filing officers.

Penalties up to \$5,000 per violation may be imposed for not filing campaign statements.